

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

**LINDA JAHNKE,**

**Plaintiff,**

**v.**

**PURVIS PRESHA, et al.,**

**Defendants.**

**No: 3:08cv-1074**

**JUDGE HAYNES**

**ORDER REMANDING CASE TO STATE COURT AND AWARDING  
ATTORNEYS' FEES TO PLAINTIFF LINDA JAHNKE**

Based on the pleadings, motions and briefs of the parties, as well as oral argument from counsel presented at the case management conference on January 26, 2009, the Court finds that the removal by Bankers' Life was objectively unreasonable under the circumstances.

Therefore, for good cause shown, Plaintiff's Motion to Remand is GRANTED and this case is hereby remanded to the Chancery Court for Davidson County, Tennessee, for further proceedings.

Furthermore, based on the foregoing, Plaintiff's Motion for Attorneys' Fees is GRANTED and Defendant Bankers' Life & Casualty Company is hereby ordered to pay Plaintiff Linda Jahnke the amount of \$2,000.00 for the attorneys' fees that she incurred as a result of the improper removal by Bankers' Life.

SO ORDERED this 27<sup>th</sup> day of January, 2009.

  
U.S. DISTRICT COURT JUDGE